

Application No.: 09/575638
Docket No.: CR9715USDIV1

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REMARKS

Applicants thank the Examiner for her attention to this case and for her proposed amendments and formalities addressed herein.

In compliance with those formalities, Applicants include herewith a statement regarding new matter for the sequence listings submitted. Applicants maintain that the matter is not and was not new at the time of filing as the sequences submitted at that time were directed to subject matter included within this application at the time of filing, and in particular sequences from previously deposited microorganisms.

Applicants also submit herewith, a Replacement Drawing for Figure 1 in which the sample lanes are more clearly defined so that the lanes are discernable. We ask that this drawing be entered and the outstanding objection be withdrawn.

Further included herewith are Terminal Disclaimers referencing U.S. Patent Nos. 6,953,684 and 6,136,576, these patents have a common assignee of the instant application. We do not consider such disclaimers admissions of any kind regarding the scope of the instant claims. In view of such submission, we ask that the obvious-type double patenting rejections be withdrawn.

Applicants concur and approve the Examiner's claim amendments and ask that they be entered.

Finally, as described above, Applicants have requested amendment to the Title, Abstract and Continuity data, in accordance with the Examiner's requests. We ask that these Amendments be entered and that any objections in those regards be withdrawn.

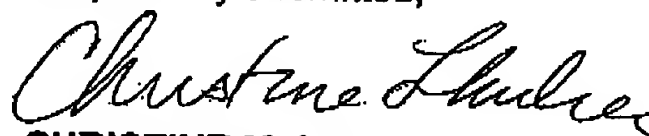
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Conclusion

In view of the foregoing, Applicants respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office communication and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,



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